

CHAPTER NO. 91

HOUSE BILL NO. 2140

By Representative Buck

Substituted for: Senate Bill No. 2595

By Senator Burks

AN ACT to amend Chapter 486 of the Private Acts of 1941; as amended by Chapter 155 of the Private Acts of 1979; Chapter 145 of the Private Acts of 1986; Chapter 74 of the Private Acts of 1991 and Chapter 102 of the Private Acts of 1993; and any other acts amendatory thereto, relative to establishing a city court.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 486 of the Private Acts of 1941; as amended by Chapter 155 of the Private Acts of 1979; Chapter 145 of the Private Acts of 1986; Chapter 74 of the Private Acts of 1991 and Chapter 102 of the Private Acts of 1993; and any other acts amendatory thereto, is amended by deleting Section 11 in its entirety and substituting instead the following:

Section 11. Be it further enacted, That there is hereby established a city court presided over by a city judge appointed by the board in accordance with subsection (7) herein.

(1) The city judge shall, before entering upon the duties of his office, take the following oath of office to be administered by the Mayor of the City of Smithville: "to support the Constitution of the State of Tennessee and faithfully discharge the duties of city judge with fairness and without favor for all who appear before the city court."

(2) The city judge shall have the qualifications and receive the compensation the board may provide by ordinance.

(3) The city judge shall have jurisdiction in, and over, all cases for the violation of, and all cases arising under, the laws and ordinances of the City of Smithville.

(4) The city judge may impose fines, costs and forfeitures, and punish by fine for violation of city ordinances. All such revenue shall be the property of the City of Smithville and shall be turned over to the city recorder upon collection.

(5) The city judge may preserve and enforce order in the court and enforce the collection of all fines, costs, and forfeitures imposed.

(6) Whenever the office of city judge is not filled by the appointment of some other person, the city recorder shall be the city judge.

(7) Upon the expiration of the term of office, or a vacancy, in the office of the current city judge, a city judge shall be appointed for two-year terms by the board.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Smithville. Its approval or nonapproval shall be proclaimed by the presiding officer of Smithville and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

**PASSED: February 14, 2002**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 20<sup>th</sup> day of February 2002**

  
DON CONQUIST, GOVERNOR